

REMARKS

[0001] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 4, 6-13 are presently pending. Claim 1 is amended herein.

Formal Request for an Interview

[0002] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can discuss this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0003] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments

[0004] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claim 1 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

Substantive Matters

Claim Rejections under § 103

[0005] The Examiner rejects claims 1, 4, 6-13 under § 103. Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

[0006] The Examiner's rejections are based upon the following references in combination:

- **Kraenzel:** *Kraenzel, et al.*, US Patent No. 6,742,026 (May 25, 2004);
- **Li:** *Li, et al.*, US Patent Application Publication No. 2003/0101445 (Published May 29, 2003); and
- **Gamo:** *Gamo*, US Patent Application Publication No. 2004/0107291 (Published June 3, 2004).

§103 Rejections

Kraenzel in view of Li

[0007] The Examiner rejects claims 1, 4, 6-12 under 35 U.S.C. § 103(a) as being unpatentable over Kraenzel in view of Li. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0008] The Examiner indicates (Action, p. 4) the following in pertinent part with regard to claim 1:

Li teaches a manifest (par. [0046] “the list of modules downloaded in operation 146 of Fig. 3”) that further identifies offline applications (i.e. applications to be stored on a client) as a first subset of components of the application as required (par. [0046] “application 150 core modules”), a second subset of components of the application as on-demand (par. [0046] “non-core modules”; note these modules are “downloaded and installed when needed” and thus constitute ‘on-demand’ applications see par. [0048]), wherein the second subset of components being drizzle-downloaded in the background as a user interacts with the application (par. [0053] “the modules enabling feature functionality may also be downloaded in the background prior to being requested”).

[0009] Applicant submits that the cited reference does not describe each and every recital of claim 1 which is copied below (in pertinent part) with emphasis added:

a manifest that specifies a first subset of components of the application as required, a second subset of components of the application as on-demand, and a third subset of components of the application as online, with the first, second, and third subsets of components of the application differing, wherein the second subset of components being drizzle-downloaded in the background as a user interacts with the application, ***wherein upon a specific component of the second subset of components is requested, the specific component takes precedence over remaining components of the second subset of components and is downloaded on-demand while the remaining components are drizzle-downloaded.***

[0010] In contrast, the cited art of Li describes (at page 5):

[0053] The above illustrative example is also applicable to other non-core modules which allow for feature functionality. Once the classes comprising the core module are installed a user may elect to perform tasks which require feature functionality. In the example of a printer and its applications, the user may wish to rotate or print a graphic. Once the rotate or print button is activated, then code will

ask the Java Virtual Machine for a class enabling the feature functionality. Accordingly, the Java Virtual Machine will request the class required for the feature functionality and operations 188-196 will be repeated for the required class and all interrelated classes. As will be explained in further detail in reference to FIGS. 8-10, the modules enabling feature functionality may also be downloaded in the background prior to being requested by the user in another embodiment.

[0011] Please note that Li merely describes “the modules enabling feature functionality may also be downloaded in the background prior to being requested by the user.” See *id.* Claim 1 of the present application recites that upon a specific component being requested, the specific component takes precedence over remaining components and is downloaded on-demand while the remaining components are drizzle-downloaded. Li has no mention of a requested module taking precedent over remaining modules and the requested module being downloaded on demand while the remaining modules are drizzle-downloaded. Li merely describes downloaded modules in the background. Furthermore, the remaining cited art do not overcome the deficiencies of Li. As a result, the cited art, alone or in combination, does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 4 and 6-12

[0012] In addition to their own merits, dependent claims 4 and 6-12 are allowable for at least the same reasons that independent claim 1 is allowable. Applicant requests that the Examiner withdraw the rejection of dependent claims 4 and 6-12.

Kraenzel in view of Li and Gamo

[0013] The Examiner rejects claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Kraenzel in view of Li and Gamo. In addition to its own merits, dependent claim 13 is allowable for at least the same reasons that independent claim 1 is allowable. Applicant requests that the Examiner withdraw the rejection of dependent claim 13.

Conclusion

[0014] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

_____/Michael D. Carter/_____ Dated: ____/May 19, 2009/____

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